

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Angela R. Thomas

Case No.: 20-22347 (JNP)

Judge: Jerrold N. Poslusny

Debtor(s)

Chapter 13 Plan and Motions

☐ Original

☐ Modified/Notice Required

Date: September 30, 2021

☐ Motions Included

☒ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ JDW

Initial Debtor: /s/ ART

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 210.00 per month to the Chapter 13 Trustee, starting on October 1, 2021 for approximately 50 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

\$1,656.88 PTD

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,750.00
DOMESTIC SUPPORT OBLIGATION	N/A	N/A
LANDIS SEWERAGE AUTHORITY	PRIORITY	\$262.80
SADEK & COOPER (Anticipated Fee for Motion to Approve LM)	Administrative	\$500.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Spring Hollow HOA	Real Property	\$794.61	0.00%	\$794.61	\$25.00

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

- i. MidFirst Bank 1684 Tomahawk Court, Vineland, NJ 08361 \$240,369.86
- ii. Nissan Motor Acceptance 2016 Nissan Maxima \$14,339.20

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative/Priority
- 3) Secured
- 4) Unsecured

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: November 2, 2020.

Explain below **why** the plan is being modified:
Debtor has been approved for a Final Loan Modification

Explain below **how** the plan is being modified:
Part 1(a); (c); (e) ; Part 3(a)

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: September 30, 2021

/s/ Angela Thomas
Debtor

Date: _____

Joint Debtor

Date: September 30, 2021

/s/ Jeanie D. Wiesner
Attorney for Debtor(s)

In re:
Angela R. Thomas
Debtor

Case No. 20-22347-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin

Page 1 of 2

Date Rcvd: Oct 01, 2021

Form ID: pdf901

Total Noticed: 34

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 03, 2021:

Recip ID	Recipient Name and Address
db	Angela R. Thomas, 1684 Tomahawk Ct, Vineland, NJ 08361-7432
lm	Midland Mortgage, PO Box 26648, Oklahoma City, OK 73126-0648
cr	+ Nissan Motor Acceptance Corporation, POB 340514, Tampa, FL 33694-0514
519011601	Arcadia Recovery Bureau, PO Box 6768, Wyomissing, PA 19610-0768
519011602	Atlantic Medical Imaging, LLC, PO Box 1564, Indianapolis, IN 46206-1564
519011603	Atlanticare Regional Medical Center, Jimmie Leeds Rd., Pomona, NJ 08240-0000
519011604	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, POB 982235, El Paso, TX 79998-2235
519011605	CBE Grou, PO Box 2217, Waterloo, IA 50704-2217
519011606	City Of Vineland, PO Box 1508, Vineland, NJ 08362-1508
519011608	HOA of Spring Hollow, 36 S Main St, Pleasantville, NJ 08232-2728
519019441	+ Homeowners Association of Spring Hollow, c/o Simeone & Raynor, LLC, 1522 Route 38, Cherry Hill, NJ 08002-2216
519057564	+ MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
519011613	+ Midland Mortgage Co., POB 268959, Oklahoma City, OK 73126-8959
519012679	Mildred Green, 56 Columbia Ave, Vineland, NJ 08360-4845
519011617	++ NATIONWIDE RECOVERY SERVICE, PO BOX 8005, CLEVELAND TN 37320-8005 address filed with court:, NRS, 545 W Inman St, Cleveland, TN 37311
519011614	Nationstar Mortgage, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
519011616	Nissan Motor Acceptance, PO Box 660366, Dallas, TX 75266-0366
519040121	+ Nissan Motor Acceptance Corporation, PO Box 9013, Addison, Texas 75001-9013
519011618	+ Pinnacle Realty Service, 151 Fries Mill Rd Ste 502, Turnersville, NJ 08012-2078
519011619	Rickart Collection Systems, Inc., PO Box 7242, North Brunswick, NJ 08902-7242
519011620	Robert M. Brown, Court Officer, PO Box 2355, Vineland, NJ 08362-2355
519011621	Shore Medical Center, PO Box 42972, Philadelphia, PA 19101-2972
519011623	Simeone & Raynor, 1522 Route 38, Cherry Hill, NJ 08002-2216
519011624	+ South Jersey Gas, 1 S Jersey Plz, Hammonton, NJ 08037-9100
519011625	+ The Landis Sewerage Authority, 1776 S Mill Rd, Vineland, NJ 08360-6200
519011626	+ Veripro Solutions, Imnc., PO Box 3572, Coppell, TX 75019-5538

TOTAL: 26

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Oct 01 2021 21:16:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Oct 01 2021 21:16:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519011607	Email/PDF: creditonebknotifications@resurgent.com	Oct 01 2021 21:19:29	Credit One Bank, POB 98872, Las Vegas, NV 89193-8872
519011609	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 01 2021 21:16:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
519011611	Email/PDF: ais.chase.ebn@americaninfosource.com	Oct 01 2021 21:19:37	JMPCB Card Services, PO Box 15369,

District/off: 0312-1

User: admin

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Date Rcvd: Oct 01, 2021

Form ID: pdf901

Total Noticed: 34

519011612	+ Email/Text: PBNCNotifications@peritussservices.com	Oct 01 2021 21:16:00	Wilmington, DE 19850-5369 KOHLS Department Store, POB 3115, Milwaukee, WI 53201-3115
519011615	Email/Text: paula.tilley@nrsagency.com	Oct 01 2021 21:16:00	Nationwide Recovery, POB 8005, Cleveland, OH 37320-0000
519011622	Email/Text: jboehler@shorememorial.org	Oct 01 2021 21:17:00	Shore Medical Center, 100 Medical Center Way, Somers Point, NJ 08244-2300

TOTAL: 8

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr	*+	Homeowners Association of Spring Hollow, c/o Simeone & Raynor, LLC, 1522 Route 38, Cherry Hill, NJ 08002-2216
519011610	*	Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346

TOTAL: 0 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 03, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 30, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Nissan Motor Acceptance Corporation bk@stewartlegalgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Jeanie D. Wiesner	on behalf of Debtor Angela R. Thomas jeanie@sadeklaw.com
Linda S. Fossi	on behalf of Creditor US Bank Cust for Pro Cap 8/ProCapital Mgt II lfossi@zeitlawfirm.com gzeit@zeitlawfirm.com;cdillon@zeitlawfirm.com;rzeit@zeitlawfirm.com
Michael R Hahn	on behalf of Creditor Homeowners Association of Spring Hollow mhahn@srnjlawfirm.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8